



Occupational Safety and Health Protection for DOE Contractor Employees at Government-Owned Contractor-Operated Facilities

Policy:

U.S. Department of Energy (DOE) contractor employees shall be provided with safe and healthful working conditions in accordance with the standards prescribed pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, and the Department of Energy Organization Act of 1977; said standards shall be consistent with those promulgated under the Occupational Safety and Health Act of 1970, Public Law 91-596. Please refer to DOE 5483.1A for details.

DOE Contractors:

DOE has determined that _____

is subject to DOE Acquisition Regulation (DEAR) Subpart 970.23, and is, therefore, required to comply with applicable DOE-prescribed Occupational Safety and Health Administration (OSHA) standards listed therein. This Order and the standards are available for employee review at _____

As delineated by DOE 5483.1A, the DOE contractor is required to:

1. Furnish to employees, employment and a place of employment which are as free from occupational safety and health hazards as possible.
2. Establish and implement programs and procedures to comply with DOE 5483.1A. These shall include programs and procedures to monitor the workplace for known toxic materials and harmful physical agents which are used or produced at the facility, and maintain records of the data. As part of these programs and procedures:

(a) Advise employees or their representatives that they are to be provided with an opportunity to (1) observe monitoring or measuring for toxic materials or harmful physical agents, and (2) have access to the results thereof.

*(b) Provide to each employee, former employee, or designated representative, within 15 days of the receipt of a written request, access to or copies of any monitoring or bioassay records relevant to the employee's potential exposure to toxic materials or harmful physical agents during employment.

(c) Notify employees promptly of any information indicating that an exposure to toxic materials or harmful

physical agents may have exceeded the limits specified by the DOE-prescribed OSHA standards.

*(d) Provide to each employee, former employee, or designated representative, within 15 days of the receipt of a written request, access to or copies of the employee's cumulative recorded occupational radiation dose during employment.

(e) Notify employees promptly of any information indicating that a radiation dose may have exceeded the limits specified by the DOE-prescribed OSHA standards.

*For purposes of access to an employee's monitoring, bioassay, or radiation exposure records, if the representative is not the recognized/certified collective bargaining agent, then he or she must have the employee's written authorization for such access.

Employees:

All employees are required to:

1. Observe the DOE-prescribed OSHA standards applicable to their work.
2. Report promptly to the contractor any condition which may lead to a violation of these standards.
3. Respond to warning signals which may be activated in the event of fire, radiation, or other possible emergencies.
4. Report emergencies using established procedures.

Inspections:

All activities under this contract are subject to inspection by DOE. When an inspection under DOE 5483.1A is conducted, a contractor management representative and a representative authorized by the employees will be given an opportunity to accompany the DOE inspector.

Where there is no representative authorized by the employees, the DOE inspector will consult with a reasonable number of employees concerning safety and health conditions in the workplace.

Concerns:

Employees or former employees may file a concern with the contractor management or with the local DOE office, as described in DOE 5480.29. Concerns may be submitted either verbally by calling the local DOE office employee concerns hotline, telephone _____, or

in writing. An example report form is available adjacent to each hotline poster, or one may be obtained from the Employee Concerns Manager at the local DOE office.

Imminent Danger:

For any condition or practice which presents an immediate hazard that could reasonably be expected to cause death or serious physical harm (permanent or prolonged impairment of the body or temporary disablement requiring hospitalization), the contractor and/or DOE shall take immediate and effective remedial actions to remove employees from the hazard and/or eliminate the hazard. As soon as possible, an inspection shall be conducted by the contractor and/or DOE to assure that appropriate actions have been taken to preclude recurrence of the hazard.

Nondiscrimination:

No contractor shall discharge or in any manner discriminate against any employee by virtue of the filing of a complaint, or in any other fashion exercising on behalf of himself or herself or others any action set forth in DOE 5483.1A or DOE 5480.29.

Inquiries:

Inquiries should be addressed to the contractor; however, additional inquiries may be addressed to the local DOE office:

(DOE Office)
Attn: Employee Concerns Manager

(P.O. Box or Street Address)

(City, State, and Zip Code)

Posting Requirements:

Copies of this notice must be posted in a sufficient number of places in Government-owned plants and facilities operated by DOE contractors subject to DOE Acquisition Regulation (DEAR), Subpart 970.23, to permit employees working in or frequenting any portion of the plant to observe a copy on the way to or from their workplace.